OFFERYNNAU STATUDOL CYMRU

2013 Rhif 1140 (Cy.120)

ADDYSG, CYMRU

Rheoliadau Derbyniadau Ysgol (Amrywio Trefniadau Derbyn) (Cymru) 2013

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn rhagnodi'r amgylchiadau pan gaiff awdurdod derbyn amrywio'r trefniadau derbyn y mae wedi penderfynu arnynt ar gyfer blwyddyn ysgol benodol (yn ychwanegol at yr amgylchiadau a nodir yn adran 89(5) o Ddeddf Safonau a Fframwaith Ysgolion 1998 ("DSFfY 1998")).

Mae rheoliad 3 yn darparu y caiff awdurdod derbyn, heb unrhyw weithdrefnau pellach na chymeradwyaeth gan Weinidogion Cymru, amrywio'r trefniadau derbyn y mae wedi penderfynu arnynt ar gyfer unrhyw grŵp oedran perthnasol pan fo angen amrywiad o'r fath er mwyn rhoi effaith i'r Cod Derbyniadau Ysgol; rhoi'r cynigion a gymeradwywyd ar waith; neu gywiro unrhyw beth a hepgorwyd o'r trefniadau derbyn neu unrhyw wall argraffu ynddynt.

O dan yr amgylchiadau hynny, nid yw'r gweithdrefnau ar gyfer newid trefniadau derbyn yn adran 89(5) i (7) o DSFfY 1998 yn gymwys.

Ni chynhaliwyd asesiad effaith rheoleiddiol ar gyfer yr offeryn hwn gan nad yw'n cael effaith arwyddocaol ar gostau busnesau, elusennau, cyrff gwirfoddol na'r sector cyhoeddus.

WELSH STATUTORY INSTRUMENTS

2013 No. 1140 (W.120)

EDUCATION, WALES

The School Admissions (Variation of Admission Arrangements) (Wales) Regulations 2013

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the circumstances in which an admission authority may vary the admission arrangements they have determined for a particular school year (in addition to the circumstances set out in section 89(5) of the School Standards and Framework Act 1998 ("SSFA 1998")) .

Regulation 3 provides that an admission authority may, without further procedures or approval from the Welsh Ministers, vary the admission arrangements that they have determined for any relevant age group where such a variation is necessary to give effect to the School Admissions Code; the implementation of approved proposals; or a correction to any omission or misprint in the admission arrangements.

In those circumstances, the procedures for changing admission arrangements in section 89(5) to (7) of the SSFA 1998 do not apply.

No regulatory impact assessment has been carried out for this instrument as it has no significant impact on the costs of business, charities, voluntary bodies or the public sector.

OFFERYNNAU STATUDOL CYMRU

2013 Rhif 1140 (Cy.120)

ADDYSG, CYMRU

Rheoliadau Derbyniadau Ysgol (Amrywio Trefniadau Derbyn) (Cymru) 2013

Gwnaed	*14 Mai 2013*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru	*17 Mai 2013*
Yn dod i rym	*8 Gorffennaf 2013*

Mae Gweinidogion Cymru, drwy arfer eu pwerau yn adrannau 89(8)(e) a 138A o Ddeddf Safonau a Fframwaith Ysgolion 1998(**1**) yn gwneud y Rheoliadau a ganlyn:

Enwi, cychwyn, cymhwyso a dirymu

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Derbyniadau Ysgol (Amrywio Trefniadau Derbyn) (Cymru) 2013.

(2) Daw'r Rheoliadau hyn i rym ar 8 Gorffennaf 2013.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(4) Mae Rheoliadau Addysg (Amrywio Trefniadau Derbyn) (Cymru) 2006(**2**) wedi eu dirymu.

Dehongli

2.—(1) Yn y Rheoliadau hyn—

ystyr "Cod Derbyniadau Ysgol" ("*School Admissions Code*") yw unrhyw god ar gyfer derbyniadau ysgol a ddyroddwyd o dan adran 84 o DSFfY 1998;

ystyr "cynigion a gymeradwywyd" ("*approved proposals*") yw—

(**1**) 1998 p.31. Mae adran 90ZA yn darparu, yn adrannau 89 i 90 o DSFfY 1998, mai ystyr "prescribed" yw wedi ei ragnodi gan Weinidogion Cymru ac ystyr "regulations" yw rheoliadau a wnaed gan Weinidogion Cymru. Mewnosodwyd yr adran hon gan baragraff 63 o Atodlen 1 i Ddeddf Addysg a Sgiliau 2008 (p.25). Mewnosodwyd adran 138A gan baragraff 71 o Atodlen 1 i Ddeddf Addysg a Sgiliau 2008.

(**2**) 2006/177 (Cy.28).

WELSH STATUTORY INSTRUMENTS

2013 No. 1140 (W.120)

EDUCATION, WALES

The School Admissions (Variation of Admission Arrangements) (Wales) Regulations 2013

Made	*14 May 2013*
Laid before the National Assembly for Wales	*17 May 2013*
Coming into force	*8 July 2013*

The Welsh Ministers in exercise of their powers in sections 89(8)(e) and 138A of the School Standards and Framework Act 1998(**1**) make the following Regulations:

Title, commencement, application and revocation

1.—(1) The title of these Regulations is the School Admissions (Variation of Admission Arrangements) (Wales) Regulations 2013.

(2) These Regulations come into force on 8 July 2013.

(3) These Regulations apply in relation to Wales.

(4) The Education (Variation of Admission Arrangements) (Wales) Regulations 2006(**2**) are revoked.

Interpretation

2.—(1) In these Regulations—

"the SSFA 1998" ("*DSFfY 1998*") means the School Standards and Framework Act 1998;

"the SSOA 2013" ("*DSThY 2013*") means the School Standards and Organisation (Wales) Act 2013(**3**);

"approved proposals" ("*cynigion a gymeradwywyd*") means—

(**1**) 1998 c.31. Section 90ZA provides that in sections 89 to 90 of the SSFA 1998 "prescribed" means prescribed by the Welsh Ministers and 'regulations' means regulations made by the Welsh Ministers. This section was inserted by paragraph 63 of Schedule 1 to the Education and Skills Act 2008 (c. 25). Section 138A was inserted by paragraph 71 of Schedule 1 to the Education and Skills Act 2008.

(**2**) 2006/177 (W.28).

(**3**) 2013 anaw 1.

(a) hyd nes y bydd adran 99 o DSThY 2013 ac Atodlen 5 iddi (i'r graddau y maent yn diddymu paragraffau 8 a 9 o Atodlen 6 i DSFfY 1998), wedi eu cychwyn—

(i) cynigion a gyhoeddwyd o dan adrannau 28 neu 29 o DSFfY 1998 ac sydd wedi eu cymeradwyo o dan baragraff 8 o Atodlen 6 i'r Ddeddf honno, neu

(ii) cynigion a gyhoeddwyd o dan adrannau 28 neu 29 o DSFfY 1998 y mae corff neu hyrwyddwr a'u cyhoeddodd wedi penderfynu y dylent gael eu rhoi ar waith o dan baragraff 9 o Atodlen 6 i'r Ddeddf honno; a

(b) pan fydd adran 99 o DSThY 2013 ac Atodlen 5 iddi (i'r graddau y maent yn diddymu paragraffau 8 a 9 o Atodlen 6 i DSFfY 1998) wedi eu cychwyn—

(i) cynigion a gyhoeddir o dan adran 48 o DSThY 2013 ac sydd wedi eu cymeradwyo o dan adran 50 neu 51 o DSThY 2013, neu

(ii) cynigion a gyhoeddir o dan adran 49 o DSThY 2013 y mae hyrwyddwr a'u cyhoeddodd wedi penderfynu y dylent gael eu rhoi ar waith o dan adran 53 o DSThY 2013;

ystyr "DSFfY 1998" ("*the SSFA 1998*") yw Deddf Safonau a Fframwaith Ysgolion 1998;

ystyr "DSThY 2013" ("*the SSOA 2013*") yw Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013(**1**).

(a) until such time as section 99 of, and Schedule 5 to the SSOA 2013 (in so far as they repeal paragraphs 8 and 9 of Schedule 6 to the SSFA 1998) have been commenced—

(i) proposals published under sections 28 or 29 of the SSFA 1998 that have been approved under paragraph 8 of Schedule 6 to that Act, or

(ii) proposals published under sections 28 or 29 of the SSFA 1998 that a body or promoter who published them has determined should be implemented under paragraph 9 of Schedule 6 to that Act; and

(b) upon the commencement of section 99 of, and Schedule 5 to the SSOA 2013 (in so far as they repeal paragraphs 8 and 9 of Schedule 6 to the SSFA 1998) have been commenced—

(i) proposals published under section 48 of the SSOA 2013 that have been approved under section 50 or 51 of the SSOA 2013, or

(ii) proposals published under section 49 of the SSOA 2013 that a proposer who published them has determined should be implemented under section 53 of the SSOA 2013.

"School Admissions Code" ("*Cod Derbyniadau Ysgol*") means any code for school admissions issued under section 84 of the SSFA 1998

Amrywio trefniadau derbyn

3.—(1) Mae'r rheoliad hwn yn rhagnodi at ddibenion adran 89(8)(e) o DSFfY 1998 yr amgylchiadau pan gaiff awdurdod derbyn, ar ôl penderfynu ar y trefniadau derbyn(**2**) sydd i fod yn gymwys ar gyfer blwyddyn ysgol benodol, (yn ychwanegol at yr amgylchiadau hynny a nodir yn adran 89(5)) amrywio'r trefniadau hynny.

(2) Caiff awdurdod derbyn amrywio'r trefniadau derbyn i'r graddau y mae angen amrywiad o'r fath er mwyn rhoi effaith i unrhyw un neu ragor o'r canlynol—

(a) y Cod Derbyniadau Ysgol;

(b) rhoi'r cynigion a gymeradwywyd ar waith; neu

(c) cywiro unrhyw beth a hepgorwyd o'r trefniadau derbyn neu unrhyw wall argraffu ynddynt.

Variation of admission arrangements

3.—(1) This regulation prescribes for the purposes of section 89(8)(e) of the SSFA 1998 the circumstances in which an admission authority, having determined the admission arrangements(**1**) which are to apply for a particular school year, may (in addition to those circumstances set out in section 89(5)) vary those arrangements.

(2) An admission authority may vary the admission arrangements to the extent that such variation is necessary to give effect to any of the following—

(a) the School Admissions Code;

(b) the implementation of approved proposals; or

(c) a correction to any omission or misprint in the admission arrangements.

(**1**) 2013 dccc 1.

(**2**) *Gweler* adran 88(2) o DSFfY 1998 i gael y diffiniad o "admission arrangements".

(**1**) *See* section 88(2) of the SSFA 1998 for a definition of admission arrangements.

Leighton Andrews

Y Gweinidog Addysg a Sgiliau, un o Weinidogion Cymru

Minister for Education and Skills, one of the Welsh Ministers

14 Mai 2013

14 May 2013

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